



77). On December 1, 2009, Plaintiff filed his response to Defendants' Motion for Summary Judgment. (Document Entry 84). On December 14, 2009, counsel for Defendants took Plaintiff's deposition. On December 16, 2009, Plaintiff filed a supplement to his response to Defendants' Motion for Summary Judgment. (Document Entry 92).

### **ARGUMENT**

Defendants request that this Court grant them leave to file a supplement to their Motion for Summary Judgment. Defendants believe that certain portions of Plaintiff's deposition testimony will support their position for summary judgment. Further, Defendants believe that certain portions of Plaintiff's deposition testimony will assist this Court in making its determination as to Defendants' Motion for Summary Judgment. Finally, Defendants assert that Plaintiff will not be prejudiced by the Court allowing Defendants to supplement their Motion for Summary Judgment.

### **CONCLUSION**

Based upon the foregoing, Defendants hereby request that this Court grant them leave to supplement their Motion for Summary Judgment. Given the upcoming Holiday Season, Defendants request that this Court give them until the original dispositive motion deadline of January 18, 2010 to supplement their motion.

Respectfully submitted,

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V. Jenkins, Dana Akins, and Babette Lanius*

**CERTIFICATE OF SERVICE**

I, the undersigned attorney, do hereby certify that the foregoing document was filed electronically with the Clerk of the Court using the CM/ECF system, which shall send notification of such filing to the following:

James W.J. Farrar, Esq. and  
Francis Howard Young, Esq.  
Metropolitan Legal Department  
P.O. Box 196300  
Nashville, TN 37219  
*Attorneys for Daron Hall, Austin Bodie,  
and Sgts. Freeman, McCutcheon and Barnes*

Further, I hereby certify that a true and exact copy of the foregoing document has been served on Pro Se Defendant, Michael W. Ingram, via certified, return receipt requested, U.S. Mail, postage prepaid at the following address:

Michael W. Ingram  
No. 135345 CJC  
448 Second Avenue, North  
Nashville, TN 37201

This 21<sup>st</sup> day of December, 2009.

By: s/ J. Paul Brewer